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May 31, 1996

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MAY 31 1996

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Washington, DC 20554

Re: Hearing Designation Order in
MM Docket No. 96-118
Application for Renewal of License for
Station WRAH(AM), Easley, South Carolina
FCC File No. BR-950809YB

Dear Mr. Caton:

Transmitted herewith on behalf of Communications Enterprises, Inc., licensee of WRAH(AM), Easley, South Carolina, are an original and four (4) copies of its Motion for Summary Disposition. The Motion is in reference to a Hearing Designation Order issued by the Audio Services Division on May 22, 1996.

If there are any questions regarding this matter, please contact this office directly.

Sincerely,


Ronald G. London

Enclosures

cc: Mr. Robert Zauner (VIA HAND DELIVERY)
Mr. Glenn Greisman (VIA HAND DELIVERY)

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Communications Enterprises, Inc.)	MM Docket No. 96-118
)	DA 96-815
)	
For Renewal of License for)	File No. BR-950809YB
Station WRAH(AM), Easley,)	
South Carolina)	

To: Chief, Audio Services Division

MOTION FOR SUMMARY DISPOSITION

Communications Enterprises, Inc. ("CEI"), licensee of WRAH(AM), Easley, South Carolina ("WRAH"), by its attorneys, hereby submits a motion seeking summary disposition in the above-referenced matter. The Hearing Designation Order ("HDO") issued in reference to CEI's renewal application for WRAH is based on a mistaken assumption of WRAH having been off the air without Commission authorization and CEI having not demonstrated an intent to resume broadcast operations expeditiously. The HDO, however, relies on the mistaken premise that WRAH was off-air for some period of time without Commission consent and that WRAH remains off the air. In fact, WRAH resumed full broadcast operation prior to the expiration of its last-granted special temporary silent authority. Therefore, summary disposition of the HDO is appropriate. In support whereof, the following is respectfully submitted:

1. On December 10, 1993, CEI's predecessors in interest, with Commission authorization, suspended operations of WRAH pending both a search for an appropriate main studio location and Commission approval of a then pending assignment application (BAL-931122GH). On August 2, 1995, the Commission approved an application (FCC Form 316) to assign the license to CEI, a corporate entity composed of the same principals as the prior licensee. In its August 9, 1995, renewal application, CEI requested three additional months to remain silent. That authorization was granted, and the last special temporary authority permitting the station to remain silent expired February 2, 1996.

2. WRAH resumed operation in mid-January 1996, approximately two weeks prior to the expiration of the last granted special temporary authority pursuant to which the station had suspended operations. The Declaration of Carl V. Venters, CEI's Chairman,¹ and the letter of Lance W. Riley, General Counsel to Children's Broadcasting Corporation, a network with which WRAH has affiliated,² attest to the fact that WRAH returned to the air at that time. Thus, the premises upon which the HDO relies -- that WRAH is currently of the air and that the station was at some point in time off-air without Commission consent -- are mistaken.³

1. The Declaration is submitted herewith as Exhibit 1.

2. The letter is submitted herewith as Exhibit 2.

3. Due to an oversight, the Commission may not have been informed of WRAH's resumption of operations. CEI and its counsel regret this oversight and hopes that this motion and the information conveyed thereby will remedy any inconvenience that may have been caused the Commission or its Staff.

WHEREFORE, for the foregoing reasons, Communications Enterprises, Inc., respectfully requests that the Hearing Designation Order of May 22, 1996, issued in the matter of the renewal of the license for WRAH be dismissed.

Respectfully submitted,

COMMUNICATIONS ENTERPRISES, INC.

By: _____
Gregg P. Skall
Ronald G. London
Its attorneys

Pepper & Corazzini, L.L.P.
1776 K Street, N.W.
Suite 200
Washington, D.C. 20006
(202) 296-0600

May 31, 1996

EXHIBIT 1

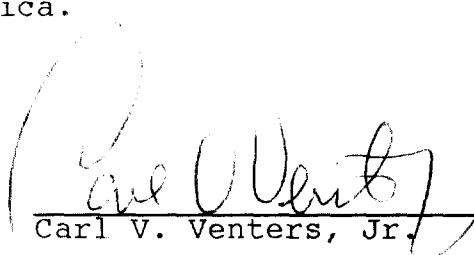
DECLARATION
CARL V. VENTERS, JR.
CHAIRMAN, COMMUNICATIONS ENTERPRISES, INC.

My name is Carl V. Venters, Jr. and I hold the office of Chairman of the Board of Communications Enterprises, Inc., licensee of WRAH(AM), Easley, South Carolina. Pursuant to Commission authority, granted August 2, 1995, Communications Enterprises, Inc. was assigned the license for the above-referenced station, then known as WLWZ(AM). By letter dated August 9, 1995, the company's counsel notified the Commission that consummation of the transaction had occurred and that Communications Enterprises, Inc. had assumed control and was the current licensee.

Due to the then-current condition of the station and because time was needed to make proper arrangements to return WLWZ(AM) to broadcast operations, a request was made to the Commission for authority to remain silent. That permission was granted by letter dated August 2, 1995, for a period of six (6) months. On January 12, 1996, and prior to the expiration of the six-month temporary silent authority, Communications Enterprises, Inc. returned station WLWZ(AM), now WRAH(AM), to full broadcast operations, and our Washington FCC counsel was notified that we had resumed operations.

In returning WRAH(AM) to broadcast operations, Communications Enterprises, Inc. became an affiliate of the Children's Radio Network, which began feeding its programming to WRAH(AM) for broadcast on January 12, 1996.

This statement is submitted under penalty of perjury under the laws of the United States of America.



Carl V. Venters, Jr.

Date: 5/24/96

EXHIBIT 2

CHILDREN'S BROADCASTING CORPORATION

724 FIRST STREET NORTH
FOURTH FLOOR
MINNEAPOLIS, MINNESOTA 55401

Telephone
(612) 338-3300
Facsimile
(612) 330-9558

May 28, 1996

Gregg P. Skall, Esq.
Pepper & Corazzini
200 Montgomery Building
1776 K Street N.W.
Washington, D.C. 20006

**VIA FAX (202/296-5572)
and FEDERAL EXPRESS**

Dear Mr. Skall:

The undersigned is General Counsel to Children's Broadcasting Corporation ("CBC"). You asked that I confirm that CBC had entered into an Affiliation Agreement with your client, Communications Enterprises, Inc. ("CEI"), pursuant to which CBC would license and CEI would broadcast over its Easley, South Carolina. radio station, WRAH-AM, CBC's children's radio format, Radio AAHS®.

I have reviewed my file and CBC's records and confirm that our records show that an Affiliation Agreement was entered into between CBC and CEI dated Sept 18, 1995, that the term was for two (2) years commencing November 1, 1995, and that the actual on-air date was January 14, 1996.

I hope the foregoing is adequately responsive to your inquiry and that you find it helpful.

Very truly yours,


Lance W. Riley
General Counsel

LWR/kp